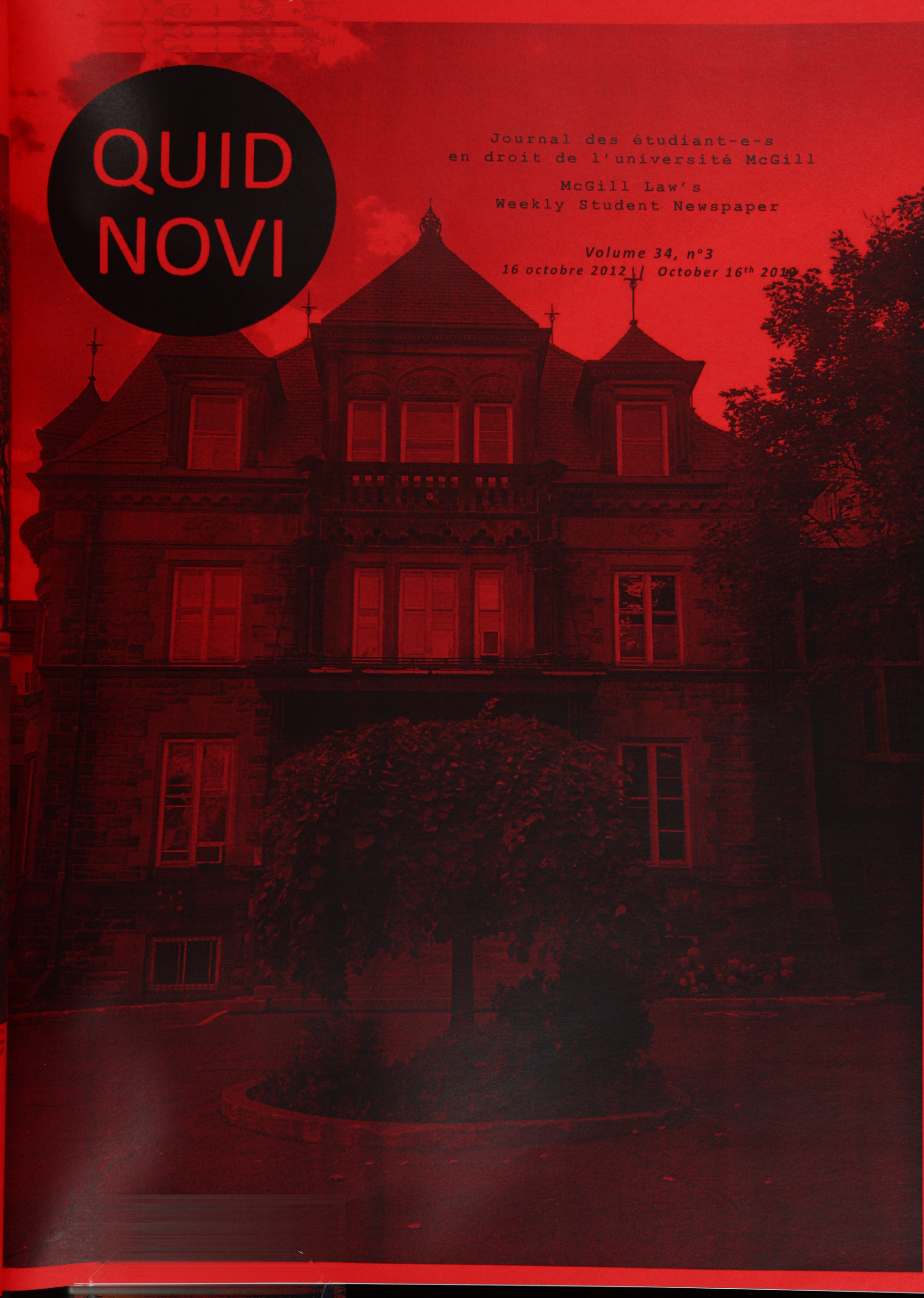


QUID NOVI

Journal des étudiant-e-s
en droit de l'université McGill

McGill Law's
Weekly Student Newspaper

Volume 34, n°3
16 octobre 2012 / October 16th 2012



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QUID NOVI

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WANT TO TALK? TU VEUX T'EXPRIMER?

Envoyez vos commentaires ou articles avant
jeudi 17h à l'adresse : quid.law@mcgill.ca

Toute contribution doit indiquer le nom de
l'auteur, son année d'étude ainsi qu'un titre
pour l'article. L'article ne sera publiée qu'à la
discrétion du comité de rédaction, qui

basera sa décision sur la politique de
rédaction.

Contributions should preferably be submitted as
a .doc attachment (and not, for instance, a
".docx").

*Co-Editor in Chief*AARON
FERGIE

SALUTATIONS

Salutations McGill Faculty of Law,

Welcome to this instalment of the 34th volume of the Quid Novi!

The Quid is the product of much work behind the scenes, and I would like to begin by thanking the previous Co-Editors-in-Chief, Helia, Thomas, and Amanda for their work. They have set a standard which at the same time provides guidance and also a goal to strive for.

Of course, this publication is only able to come to the light of day through the work of the whole team, whose names you will find

on the inside front cover of every Quid. Although new to the scene, having observed the team working on this issue I am confident that we will be able to smoothly continue the tradition of the Quid.

As to the future, within the bounds of this tradition we will be taking a fresh look at the Quid, to see where if we can supplement an already fine publication; no mean feat, but together we can make it happen.

Happy reading!

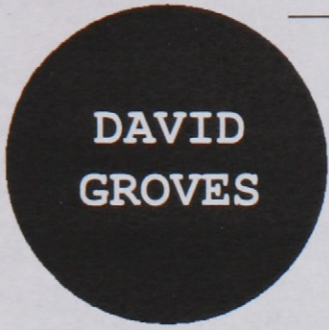
*Co-Editor in Chief*JÉRÉMY B.-
BONNELLYL'AMBIVALENCE
DU QUID

Quels grands souliers avons-nous à chausser ! Thomas, Amanda et Hélia ont su porter le Quid de façon admirable, et Dieu sait que ce n'est pas toujours une tâche facile. Heureusement, le Quid est la réalisation de toute une équipe sans laquelle vous ne tiendriez pas ce journal entre vos mains. Allez voir leurs noms à la page précédente et félicitez-les si vous les croisez — ils et elles le méritent bien !

Si j'ai accepté d'être co-éditeur en chef du Quid, c'est bien sûr pour travailler avec cette équipe, mais c'est aussi pour le contenu caractéristique qu'on y retrouve. D'une part, on peut y lire des débats animés et émotifs qui nous poussent à réfléchir sur divers enjeux — et cela ne s'arrêtera certainement pas, notamment avec l'implantation des politiques du Parti Québécois et des Conservateurs. D'autre part, on y trouve également de petites

douceurs qui rendent notre quotidien plus joyeux — comme ces recettes qui nous permettent de faire un peu de popote. Cette diversité caractérise parfaitement notre faculté, et le Quid est en quelque sorte le reflet de cette réalité.

Or, le Quid s'alimente de vos contributions — et c'est une bête qui est assez gourmande ! Alors ne soyez pas timides et envoyez-nous vos articles, poèmes, photos, recettes et tout ce à quoi vous pourrez penser. J'espère que vous apprécierez autant le Quid cette année que je l'apprécie depuis mon arrivée à la faculté !


 DAVID
GROVES

THE OPTIMIST

PRO BONO, CONTRA BONO?

In "First as Tragedy, then as Farce" a 2010 lecture posted online under the "RSA Animate" series, the philosopher Slavoj Žižek made the argument that charity is, whatever the noble intentions behind it, a fundamentally unjust practice. To him, acts of charity focus on the superficial alleviation of immediate suffering without looking to the things that brought that suffering into being. In doing so, they may even make that suffering worse. Žižek's argument came to mind last week when, armed with free smoked meat sandwiches and coleslaw, lawyers from Norton Rose came to McGill to speak on the subject of *pro bono*.

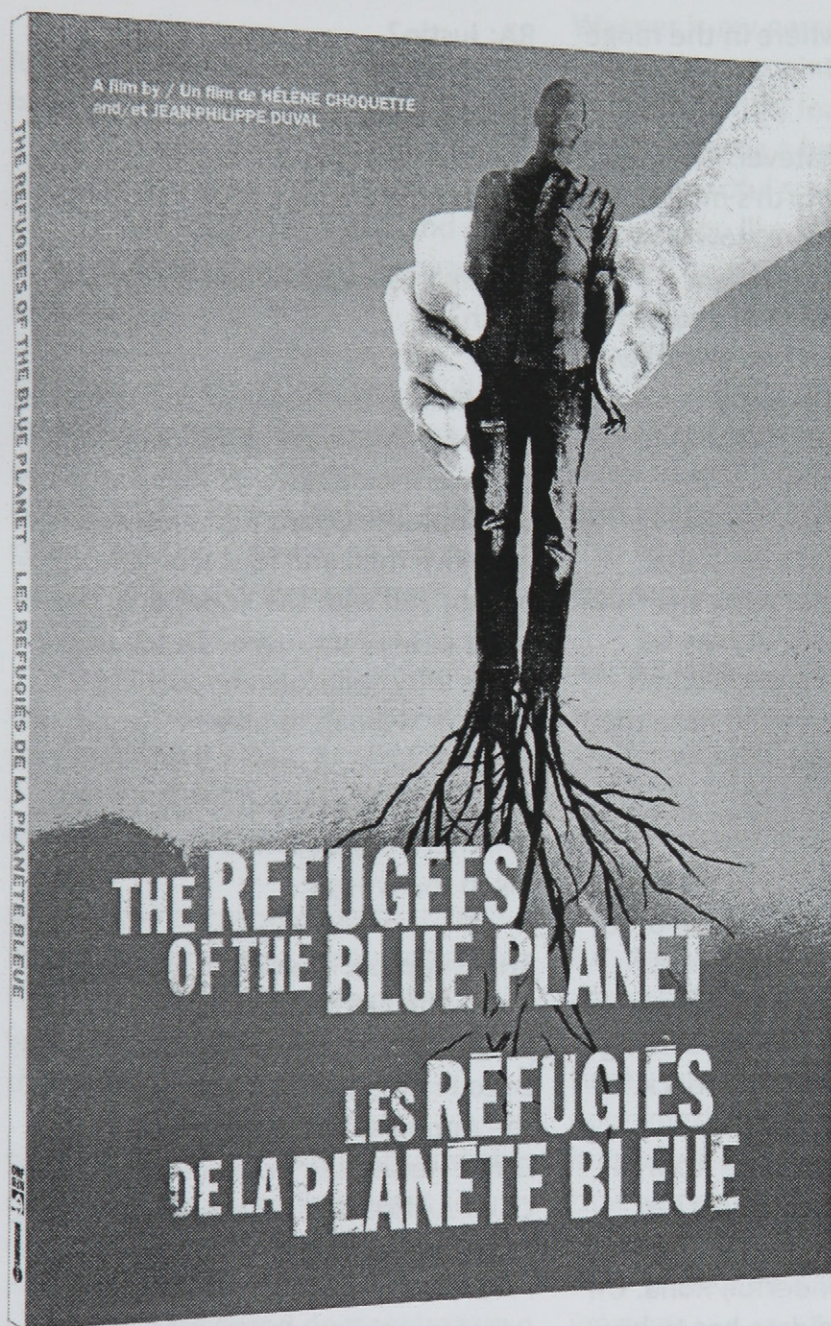
Pro bono is the backbone of ethical lawyering: the idea of offering one's time and expertise to those who need it most. Firms of all sizes advertise their commitment to *pro bono* work, and Norton Rose is no exception. The firm mandates a certain number of *pro bono* hours per year per employee, and pays them as if those hours were billed. The speakers insisted that this would address the growing access to justice crisis that Canada is currently facing, and it was this claim that gave me pause.

What is the 'access to justice' crisis? Put simply, the costs associated with turning to the justice system to resolve disputes have increased to such an extent that many Canadians are either unable to afford. Lawyers are expensive, courts move slowly, and aggravating all this, the system has become so un-navigable and complex that engaging in it without legal training is nearly impossible. To an average citizen, a just ruling seems less a product of the merit of one's case than a product of the price they can pay. Speaking to reporters after a speech to the Canadian Bar Association this summer, Chief Justice McLachlin even posited that "if people decide they can't get justice, they will have less respect for the law". A crisis in access to justice is a crisis for the concept of justice itself. And if this is the crisis that law firms with *pro bono* policies are looking to address, it is my opinion that *pro bono* is the wrong way to go about it.

Pro bono is a process by which lawyers (or students) take on individual cases, putting aside the fact that these cases arise because it is the cost and complexity of the legal system that drive citizens to seek volunteer assistance. New cases arise every day, in greater and greater numbers, and resolving one does nothing about the many others to come. One could analogize the access to justice crisis as a leaky dam, and the *pro bono* approach to attempting to plug it, hole by hole, all while it steadily deteriorates.

As individual students, sitting at the bottom of the legal profession, plugging these holes is about all we can do. But for a law firm, especially a large, profitable, and influential one, the considerable resources they devote to *pro bono* could be better spent. They could, for example, put the money they would spend to cover the hours their lawyers devote to *pro bono* work towards researching and pushing for broad and comprehensive reforms to the legal system. The ultimate irony of a firm policy that treats *pro bono* hours as billed hours is that, to offset the cost of this unpaid work, the cost of a billable hour must go up. In pursuing a case-by-case approach, they may actually only be making the crisis worse.

This is not to knock the hard work, dedication, and sacrifice *pro bono* volunteers bring to their clients, nor to the good that may result from these interventions. It is unquestioned that, when someone needs help to right a wrong, pay for a hospital bill, or protect themselves from an unscrupulous landlord, we as trained legal thinkers should do what we can to help. Žižek is wrong: it is immoral to ignore suffering when it arises simply because the relief we can provide is short-term. But *pro bono* treats the symptoms of the access to justice crisis, rather than treating the underlying disease. A good doctor would go deeper; good lawyers should as well.



Film Screening & Discussion

*Tuesday, October 23 at 4pm**

"Each year, millions of people the world over are driven to forced displacement. Que ce soit aux Maldives, au Brésil ou même plus près de nous, ici, au Canada, les récits troublants de ces êtres humains déracinés se recoupent. The enormous pressure placed on rural populations as a result of the degradation of their life-supporting environment is driving them increasingly further from their way of life. **The Refugees of the Blue Planet** sheds light on the little-known plight of a category of individuals who are suffering the repercussions of this reality: environmental refugees. Leur nombre grandissant sans cesse, ceux-ci voient leur droit à un environnement propre et durable bafoué, mais ils ne disposent encore d'aucun statut légal." (National Film Board)

**Free popcorn will be served. Room location and speakers to be confirmed. Please look out for our posters and read the notice board!*

Presented by

hrwg

Immigrant & Refugee
Rights Portfolio

DEREK
ZEISMAN

DATUM ERRATUM

ALL THE PRIME MINISTER'S
MEN (CHICKS NEED NOT APPLY)

[The following recent conversation between Prime Minister Stephen Harper and Minister for the Status of Women Rona Ambrose was secretly wire-tapped, and is reprinted here for your collective edification. Special thanks to Vic Toews for his assistance in this regard.]

SH: Rona, honey! Such a pleasure to see you. So how's the little lady been?

RA: Loyally doing your bidding as always, Stephen.

SH: That's Mr. Prime Minister to you, toots...Watch it.

RA: Sorry.

SH: That's better. So, the reason I've called you to my office is to get your advice, in your capacity as Status of Women Minister. After all, you did such a good job of voting for M-312, Stephen Woodworth's fetal rights motion. You're such a trooper.

RA: Oh sir, it was my pleasure. I mean, we all know it was a back-door attempt to re-regulate abortion. I think women across the country will eventually thank me for going to bat for the lives of Canada's unborn. After all, at least some of those poor kiddies are bound to be female, right?

SH: Probably somewhere in the range of 50%.

RA: Really? Well, whatever. Anyway, even though Woodworth's motion didn't pass, I think we're slowly wearing down the public's resistance where re-criminalization of abortion is concerned. And if we go ahead with our secret plan to take away the vote from women under 60, we shouldn't have any trouble at all!

SH: Rona, shhhhh! Let's keep that plan under our hats for now, shall we? I don't trust this office – it may be bugged. I saw Toews and his damn moustache skulking around here the other night.

RA: Sorry.

SH: Anyway, I have a new piece of female-sensitive business to discuss with you. I have to appoint a new Supreme Court justice in the coming days, and I wanted your feedback.

RA: Ooooh, cool! Can he be from Alberta? How about Ralph Klein?

SH: That sounds wonderful, Rona. Unfortunately our candidate has to be from Kweee-bec. It says so in this bloody Constitution that Trudeau stuck us with.

RA: Justin?

SH: No, even worse – Pierre. Anyway, I need a Kwee-becker, and it probably has to be a woman, too.

RA: Ugh. Are you serious? Why on earth?

SH: Well, a few freaks and lunatics out in hippie-land have some crazy idea that we should have gender parity on the Supreme Court. Right now we have five men and four women on the bench, and with the impending retirement of Madam Justice Deschamps, some lefty agitators are pushing for another woman to take her place.

RA: Sounds weak. But, okay, I'll bite. Are there any qualified women waiting in the wings?

SH: I suppose. There's Marie-France Bich, who I'm told is a highly capable judge on the Quebec Court of Appeal. Ditto France Thibault, who's also on the Appeal Court. And there's Nicole Duval Hesler, the Court of Appeal's Chief Justice. But Marie-France seems to be the favourite.

RA: Her name makes her sound pretty foreign. That won't go over so well down in Lethbridge. Any other drawbacks?

SH: Well, she's a former university professor.

RA: Oh good Lord. Another egghead academic from the ivory tower? Sitting on our top court? The boys up at Fort Mac aren't going to like that one bit. What did she teach?

SH: Law.

RA: Oooh, that's a killer. Any other nails in the coffin?

SH: Well, she presided over the Quebec Bar Association's labour and employment law committee for nearly a decade.

RA: Gosh sir, she sounds like a full-blown communist. Can't we find a candidate who sounds tougher on crime? Heavy on the law-and-order thing? You know, someone who will appeal to the red-meat redneck crowd.

SH: Well, there's Richard Wagner. He's only been sitting on the Court of Appeal for the last year and a half, but he's got strong credentials.

RA: Well, with a name like that, he must be a good Tory. If you appoint him, you should play Ride of the Valkyries as he marches to his seat on the bench.

SH: Yes, nice touch. But that's just the beginning. He's got some great Tory blood ties too. His dad, Claude Wagner, was a real tough-on-crime Quebec judge who hated demonstrators and agitators even more than Charest on a bad hair day. He later went on to serve as Quebec's justice minister, served two terms as a federal Tory

MP, and nearly beat Joe Clark and Brian Mulroney for the Tory leadership back in 1976!

RA: Wow, really? You gotta love anyone who tries to put the boot to that pinko weasel Joe Clark. But who's Brian Mulroney?

SH: Never mind, never mind. Anyway, Wagner is my personal choice. But I know if we appoint a sixth man to the bench, and only leave three women, we'll be facing a hue and cry from all those dreadful special interest groups. You like...Like women. So I wanted your opinion.

RA: Well Mr. Prime Minister, I think you're totally in the clear here. Go ahead and appoint Justice Wagner! Because you'll still have more than enough gender equity on the Court.

SH: Really? How do you figure?

RA: It's simple. Three women out of nine judges means 33% of the seats are for women, right?

SH: I have Flaherty do all my math for me, but I'll take your word for it.

RA: Anyway, compare that 33% against the number of women you've appointed to the Senate since you began your benevolent reign. You've appointed 53 Conservative senators, but only 15 of them are female. So that works out to – hmmm, can I borrow your abacus? – that means only 28% of your Senate appointees are women.

SH: Wow, I never looked at it that way before.

RA: More good news, sir! Female representation in your cabinet is even worse. You've got 39 ministers, but only nine of them are female. That works out to only 23% of the cabinet. So compared to that, when it comes to the Supreme Court you're laughing! Even if you do choose Justice Wagner for the bench.

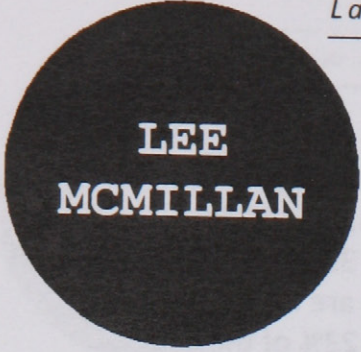
SH: Wow Rona, that's incredible. You're pretty smart for a woman. I guess Richard Wagner's my man then! And a very Reasonable Man I'm sure he will be.

RA: Definitely, sir. I just hope his Jewish viewpoints are more reasonable than those of his German namesake, or there's no way we'll succeed in taking out Cotler in Mount Royal in the next election.

SH: Yes, good point. I'll verify that. But you're absolutely sure you don't mind losing a female voice on the High Court? I mean, aren't you supposed to be advocating on behalf of all women?

RA: Sir, it's called Status of Women Minister. Nobody said anything about high status, low status or no status!

[Harper and Ambrose share a hearty guffaw. The Prime Minister gives Ambrose a playful swat on the behind, à la John Turner and Iona Campagnolo, as Harper's security team brusquely escorts Ambrose out of his lair and back to her cold and dank basement office. Recording ends.]



LEE
MCMILLAN

THE PQ IS BAD FOR QUEBEC, BAD FOR EVERYONE

To reignite the issue of Quebec separation is to reintroduce years of constitutional debate that burdened the Trudeau and Mulroney governments. These debates shifted the federal government's focus and resources away from international politics and economics – issues that have since proven most forceful in shaping our collective destinies as Canadian citizens.

At a time when Europe – a continent with infinitely more complex 'national' interplays than our own – is clamoring to preserve its precarious monetary union (if only to avoid wreaking havoc on the global economic system), Quebec separatists are chasing after 'national sovereignty.' This fleeting phantom – a benevolent tool for post-WWI non-westerners seeking to release themselves from oppressive imperialism – is for westerners nothing more than a cause of populism, propaganda, and ultimately disillusionment.

For Europe (a continent acutely aware of its own origins), such waves of nationalism are old demons that just won't quit – these same demons derailed Europe's constitution and continue to stall Europe's fiscal union. Quebec, as an important part of this collective political phenomenon (referred to as 'America'), has a duty not to forget all that this name stands for. Quebec, in essence, was given the gift of a new world in which to do things differently. It has a duty to guide its policies in cosmopolitan directions.

If there is indeed a vaguely discernible course of development that countries ought to evolve towards (which in our own case is increasingly taking the form of a highly integrated and harmonized legal and economic global 'village'), then the recent PQ victors are taking Quebec down a wrong and badly-trodden path.

Those traits that afford Quebec its national status, deserving of independence, are chiefly cultural and rarely economic. What French Quebec can expect to gain through independence is a slightly greater right to promote its cultural heritage, a right which many would argue that Canadian Federalism already succeeds in securing; especially compared to rights of Gaelic nations in the United Kingdom or the Catalans in Spain.

Yet what it can hope to preserve with respect to its culture, and which forms the essence of its right to separate, it can certainly expect to lose in the realm of economics. A Quebec that obtains complete control over its fiscal policy is no more liberated from the outside world than an entity that continues to exist under a united federal state. It will still have to reconcile its commitment to free education with the costs of an instructor-intensive English university system (which Europeans do not enjoy). Its goal of sheltering French businesses will clash with the benefits of allowing international mining firms to invest in its resource-rich north. It will have to deal with greater deficits due to lost transfer payments from provinces like

Alberta. It will have to face the same challenges currently being faced by Europeans: how will it remain in a healthy monetary and banking union with another state (Canada) without integrating its fiscal system?

Worse yet, how does Quebec plan on rectifying the huge decrease in trade that will occur with the rest of North America if it does choose to separate? Montreal's downfall as an economic hub was inversely proportional to the rise of the buzzword 'Sovereignty Association' in the 1970s. Quebec secession would be as bad for global trade as a Greek exit from the euro zone would be for global investor confidence. A nation that is bitterly in opposition with anything English is certain to suffer in a global economy where English is the universal language of business.

In short, at a time when technology is increasingly bringing countries' policies and legal systems together, the current ruling party of Quebec is trying to destroy a political and economic union that is the blueprint for resolving conflict around the world. Federalism grants a healthy degree of autonomy and respect to minority groups while still giving central governments the necessary leverage to avoid the infighting that makes it impossible to compete on the global stage.



MCGILL LAW-SPECIFIC ECO TIPS

The Green Law committee is the plucky little LSA committee devoted to making the LSA and the faculty's activities more environmentally friendly. Here are some McGill law-specific tips about how you can reduce your environmental impact.

1. Planning an event with food and drinks? The LSA Green Committee has a service for you! Les étudiants peuvent emprunter des assiettes, ustensiles et (bientôt!) des verres pour une période maximale de 24 heures. Les emprunteurs doivent laver et rapporter les objets en bon état – une

amende sera imposée si les objets sont endommagés, perdus ou non-lavés. Un dépôt de 40\$ est requis lors de l'emprunt. The loan form is available both on the LSA website as well as by emailing

greenlaw.committee@gmail.com. To reserve dishware for a specific date, the completed form must be e-mailed to greenlaw.committee@gmail.com at least 24 hours before the event is to take place so that pick-up and drop-off times can be confirmed. Nous sommes ouverts à vos commentaires et suggestions!

2. Planning on drinking coffee or tea AND leaving a livable world for your grandchildren? Grab a reusable cup and head down to the cafeteria in the basement. Aramark will give you a discount on the price of your drink, and give you a frequency card. After six purchases, you can show your card for a free coffee or tea! Buy a reusable mug from Aramark, and your first coffee is free! Corporations can care!

3. Si vous aimeriez vous impliquer en tant que bénévole, n'hésitez pas à nous contacter à greenlaw.committee@gmail.com.

LÀ
OÙ
VOUS
ÊTES.^{MD}



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MICHÈLE
LAMARRE-
LEROUX

LET'S PUT DRAMA ASIDE

FROM THE STUDENT WELL-BEING COMMITTEE

You know the feeling that creeps from your stomach, then to your heart, and finally invades your mind without warning and with incredible tenacity? Unfortunately, I am not talking about love, even though it is troubling to realize how much the effects are similar. I am talking about anxiety and stress. It's crazy how anxiety creeps up slowly, without you noticing it, and then it is super hard to get rid of it. You first need to identify your feeling. Then, admit (even though your ego probably doesn't want to) that it IS stress and that you are affected by it. Finally, you have to deal with it. None of these 3 steps is easy. Although, the last step is probably the hardest, it's the one I am the most able to help you with. Don't get me wrong here: I am not writing these lines because I am a zen guru who knows exactly how to get rid of stress and lives a perfect smooth life. If I'm writing this, it's because I recently had to remind myself and a few friends the following advices. So don't be ashamed, don't pretend you already know all this because you certainly could use a reminder and keep on reading!

Voici donc quelques trucs pour arriver à diminuer son niveau de stress ou du moins, diminuer l'impact qu'il a sur notre vie de tous les jours:

- **Force toi à sourire** : Oui, c'est difficile de forcer un sourire quand on a une boule dans l'estomac. Mais en gardant la pose quelques secondes, c'est magique comment sourire pour vrai devient plus facile! Et l'effet est instantané : on se sent tout de suite plus calme, et la montagne à surmonter devient soudain moins haute. Répéter l'exercice autant de fois que nécessaire durant la journée.

- **Dédramatise!** Bon, d'accord, tout n'ira peut-être pas comme prévu. Et puis? Ça pourrait sûre-

ment être pire. Imagine tous les scénarios catastrophes possible et tu vas voir, au fond, ce n'est pas siiii mal.

- **Réévalue la situation**: Ai-je vraiment besoin de faire TOUTES ces tâches que j'ai énumérées sur ce bout de papier? Il arrive souvent qu'on s'ajoute des tâches inconsciemment, comme pour se convaincre de notre manque de temps. Mais est-il absolument nécessaire de faire les lectures pour ce cours, le temps de la rédaction de cet essai? Couper ici et là. Réaliser qu'on peut remettre une tâche à la semaine prochaine. Réaliser qu'en réalité, on ne peut pas toucher à ce problème particulier pour l'instant. Magie! Il se crée des trous à son horaire.

- **Agir au lieu de remuer ses pensées** : D'accord, on aimerait tous avoir un 8e jour à la semaine. Mais arrête d'y rêver et de te plaindre, et bouge tes fesses pour profiter au maximum du temps que tu as!!!

- **Le temps n'est pas quelque chose qu'on a, mais quelque chose qu'on prend** : Tu n'as pas le temps? Non, tu ne prends pas le temps. Cela peut sembler philosophique, mais pense-y 2 secondes et les perspectives changent.

- **Respire!** Très important. Et des grands respirations, profondes et lentes.

- **Peu importe ce qu'il arrive, tu vas survivre.** Et la prochaine fois, cela ne pourra qu'aller mieux.

I hope this helps. But to get through all this, you're gonna need a lot of energy. So have a look at the recipe that follows to have delicious granola bars to munch on while flipping your agenda for the 25th time today.

MICHÈLE
LAMARRE-
LEROUX

BRUGGADUNG BARS

FROM THE STUDENT WELL-BEING COMMITTEE

To compete with Molly's granola bars

Warning! A small piece 1 inch x ½ inch is sufficient to boost you for a good 2 hrs of focussed readings.

Preparation time : 30 minutes with the dishes done.

1/2 tasse de sirop de maïs
1/2 " de cassonade

Amener à ébullition

Retirer du feu et ajouter :

- 1 tasse de beurre d'arachides régulier
- 1 c. à thé de vanille.

Bien mélanger et ajouter :

- 2 tasses de céréales granola
- 1 tasse de Bran Flakes

Si désiré; ajouter un ou plusieurs des ingrédients suivants:

- Graines de sésame
- Graines de tournesol
- Arachides hachées
- Amandes
- Raisins, etc.

Étendre le mélange dans un moule de 8" carré et refroidir (2-3 heures suffisent)

Sortir du frigo et laisser tempérer 15 minutes (sinon c'est impossible de les couper!).

Couper en morceaux.

Moi, je double la recette et mets le mélange dans un moule de 9" X 13"



SUBMIT TO THE QUID!

Envoyez vos articles, poèmes, bandes dessinées!

Deadline: every **Thursday at 5pm**. Send articles as an attached Word document, including a title, author and author's year of study to **quid.law@mcgill.ca**.

LSA / AÉD

ASSEMBLÉE GÉNÉRALE ANNUELLE DE L'AÉD

L'assemblée générale annuelle aura lieu mercredi, le 17 octobre, à 12h30.

The location can be found in the LSA listserv sent on Sunday.

On vous attend en grand nombre!

VP Internal

SARAH
KETTANI

MALPRACTICE CUP: LE TROPHÉE RAPATRIÉ

Ce samedi, une quarantaine d'étudiants de droit ce sont présentés au Réservoir afin d'affronter les étudiants de médecine dans une variété de sports. Deux événements exceptionnels sont arrivés cette année et méritent une mention spéciale. Tout d'abord, nous avons brisé le mauvais sort de la pluie et avons pu jouer à sec! Secondly, and

most importantly, we won the trophy! Our team has demonstrated outstanding skills in trivia and tug of war, as well as dodgeball and Quidditch, which we all won! Ce fut une journée très agréable et j'aimerais remercier tous les participants :)

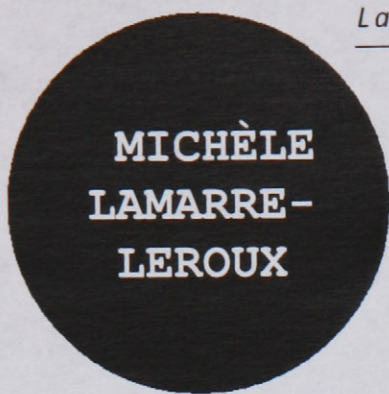


You expect great
mentors, but it's the
smiles that catch
you off guard.



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FOR MIFA

Law III

4 REASONS WHY YOU SHOULD COME TO THE FOOSBALL TOURNAMENT AND BUY RAFFLE TICKETS

1- It's fun!

Playing foosball is simply great (and you get cool benefits from registering).

2- Prizes are amazing!

- Samsung phone (either you keep it or become someone's best friend)
- 50\$ Gift-certificates to Pub St-Paul (to invite someone on a date for free)
- 10\$ Gift-certificates to DLiche Cupcakes (to cheer up your upcoming November blues)
- 10\$ en certificats-cadeaux chez Smoke's Poutinerie (pour votre collation d'après-Halloween party)
- T-shirts, frisbees, ballons de soccer (on en a jamais trop)

3- It's a great time!

Free beer, what?

4- C'est pour une bonne cause!

Right to Play est le plus grand gagnant de ce tournoi.

See posters, Quid publicity, Facebook event and registration in the atrium from 12-2 pm every day for details.

ERRATUM

The article on Linguistic Rights McGill, found on page 9 of the October 2 edition, was not published under the article's correct title nor was it attributed to the correct author.

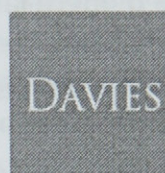
The title should have been "Senate Reform: Issues and Impact on Official Language Minorities across Canada" and was written by Francesca Taddeo.

MTEA CUP 2012



TOURNOI BÉNÉFICE DE BABY-FOOT
AU PROFIT DE RIGHT TO PLAY

AVEC LA PARTICIPATION DE



DAVIES
WARD
PHILLIPS &
VINEBERG

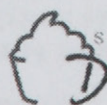
**Thursday October 18th
during Coffeehouse**

**REGISTER FOR THE FOOSBALL
TOURNAMENT IN THE ATRIUM**

- \$20 per two-person team gets you:
- guaranteed minimum of 2 games
 - free beer all night
 - entering gift
 - 2 raffle tickets



RIGHT TO PLAY
MCGILL UNIVERSITY



Simplement
liche
Boutique de cupcakes

**Pas besoin d'être inscrit pour
venir au Coffeehouse!**
**Venez profitez de la BIÈRE GRATUITE
durant la première heure!**



LIBRARY NEWS

Thieves in the library

Law students have begun their work in earnest, so they are spending most of the study time in our library. I would like to remind you that the Law Library is a public place where anybody can have access during the daytime. Therefore, if your possessions are dear to you, please do not leave them unattended (even for a short time necessary to go to the wash-room) as they might be tempting to somebody else.

Making of the modern law. Foreign, Comparative and International Law, 1600-1926

Since this Fall, the Law Library provides access to another database from the **Making of the modern law** series, **Comparative and International Law, 1600-1926**. It contains historical resources previously found only at the largest and oldest repositories. FCIL includes pre-1926 treatises and monographs, sourced from the collections of the Yale, George Washington University, and Columbia law libraries, in the following areas: International Law; Comparative Law; Foreign Law; Roman Law; Islamic Law; Jewish Law; and Ancient Law.

You can access the database by clicking on the **Legislation and cases - foreign jurisdictions** in the **Law subject guide**.

About dictionaries and exams

Forgive me for repeating myself, but I have to remind you that for open-book exams you need a PAPER language dictionary. According to my observations of last two years, many students realise this half-an-hour before their exam starts. Last year, one day, we counted more than 20 students asking for a French-English dictionary that were all gone by that time. The last dictionary that we checked out the day before was published in 1946, but the student who got it was delighted to have even that not-so-up-to-date dictionary. To avoid getting into similar situation this year, you could either buy a PAPER French-English/ English-French dictionary that you can use for all your open book exams in Law School and for long years to come after you graduate from the Law School or borrow it from any of McGill Library branches (e.g. Education) several days before your open book exam.

Law Library blog

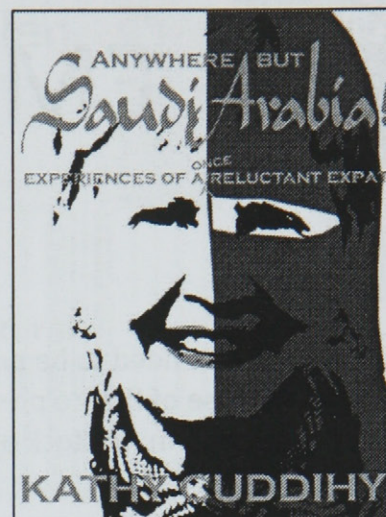
Since this summer, the Nahum Gelber Law Library has a blog, where you can find more of the Law Library news <http://blogs.library.mcgill.ca/lawlibrary/>

SUDOKU

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2		1			9			5
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	3	9						
1		4	3	8	6	5		9

ANYWHERE BUT
Saudi Arabia!
ONCE
EXPERIENCES OF A RELUCTANT EXPAT

KATHY CUDDIHY



When Bechtel offered Sean Cuddihy a transfer to Riyadh, Saudi Arabia in 1976, his wife Kathy agreed to go along on one condition: that it was only for two years, not a minute longer. This reluctant commitment turned into a 24-year love affair with Saudi Arabia and its people.

Kathy's humorous anecdotes of her adventures and misadventures trace the journey of a country in transition. Never has a nation made so much progress in so short a time. As a trusted journalist and businesswoman, Kathy witnessed, recorded and participated in this spectacular development.

From palaces to prisons and mud houses to private jets, Kathy's perspective is unique and her experiences remarkable.

Told with the wit and stylishness for which the author is well known, *Anywhere But Saudi Arabia!* is a treasure for all who know and love the Kingdom, and an eye-opener for those with no comprehension of what life was, and is, like for an unconventional non-Muslim woman in a conservative Muslim population.

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SPECIFICATIONS

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**KINDLE EDITION
AVAILABLE FROM
AMAZON 30 NOV 2012**

KATHY CUDDIHY, Canadian by birth, has lived abroad for most of her life.

A penchant for foreign cultures and languages has served her well through her extensive travels. Her varied career has included being a jillaroo (cowgirl) in Australia, a secretary at the United Nations in Geneva, and a public relations consultant in Saudi Arabia. This is her seventh book.

Her two children and five grandchildren reside in the US. Kathy lives with her husband Sean on Bantry Bay, Ireland.



**MARGARET
BARATTA**

HOSTILE INTRUDER EMERGENCY PROTOCOLS

We are frequently told we need to be prepared: to have an evacuation plan in case of fire; to prepare for extreme weather such as an ice storm; to stock our car with an emergency winter kit.

The McGill Security Office wants us to be prepared for a hostile intruder, which they define as follows: "A hostile intruder situation arises when one or more persons participate in random or systematic action with intent to harm others. The culprit(s) may use firearms, explosives, knives, etc. to commit mass murder rather than engage in other criminal contact."

We have been fortunate at McGill because the Security Office has always been proactive, and has devised a protocol to protect the McGill community which includes the cell phone alert system and a presentation on how to respond to a hostile intruder.

The Faculty has arranged for security personnel to come speak to the law community about such situations and to show a video on Wednesday October 17th from 13h00 to 14h30 in the Maxwell Cohen Moot Court Room, room 100. The whole presentation takes about 75 minutes followed by a question period. Everyone is invited to attend.

Let's be prepared to protect ourselves and stay safe.

Mesures d'urgences en cas d'agresseur armé

On nous répète souvent qu'il faut être préparé: avoir un plan d'évacuation en cas de feu; être prêt en cas de conditions météorologiques difficiles comme une tempête de verglas; garder une trousse d'urgence pour l'hiver dans sa voiture.

Le Service de sécurité de McGill voudrait aussi que nous soyons prêts à réagir dans l'éventualité de la présence d'un individu armé sur le campus. On définit un agresseur armé ainsi: lorsqu'une ou plusieurs personnes prennent part à une action spontanée ou planifiée visant à démontrer leur intention de blesser ou faire du tort. Le ou les coupables peuvent notamment utiliser une arme à feu, des explosifs ou un couteau dans le but de commettre une tuerie, plutôt que tout autre acte criminel.

Le Service de sécurité de McGill a mis en place un protocole pour protéger la communauté mcgilloise et ses visiteurs. Il a également préparé une présentation vidéo qui explique comment réagir à un agresseur armé.

La Faculté de droit a donc invité les Services de sécurité de McGill de venir nous parler de cette question et présenter leur vidéo le mercredi 17 octobre, 2012, entre 13h00 et 14h30, dans la salle du tribunal école Maxwell-Cohen. La présentation durera environ 75 minutes et sera suivie d'une période de questions. Tous sont bienvenus.

Soyons prêts à nous protéger et à assurer notre sécurité!

Wrestling with Free Speech, Religious Freedom, and Democracy in Turkey: The Political Trials and Times of Fethullah Gülen

James C. Harrington, Esq., *Speaker*
Dr. Idil Atak, *Moderator*

Presented in collaboration with the Institut du dialogue interculturel

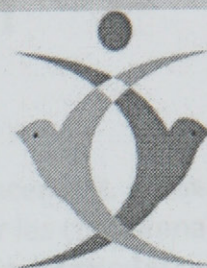
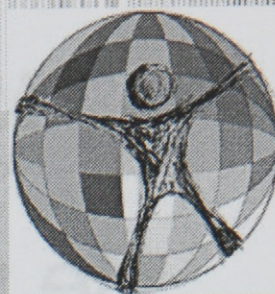
Wednesday, October 17, 2012

12:30-2:00 PM, Room 202, Faculty of Law

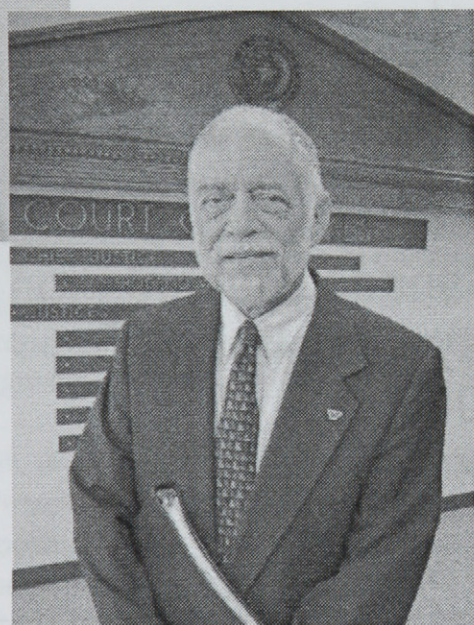
3644 rue Peel St., McGill University

RSVP by October 16 to chrlp.law@mcgill.ca

McGill Centre
for Human
Rights and
Legal Pluralism



INSTITUT
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James C. Harrington is a human rights attorney with nearly four decades of experience. He is founder and director of the Texas Civil Rights Project, a statewide community-based, non-profit foundation that promotes social, racial, and economic justice and civil liberty, through litigation and public education, for low income and poor persons. Harrington has handled landmark civil rights cases, written

and published widely, and served on human rights delegations in Latin America and the Middle East. He has taught at the University of Texas School of Law as an adjunct professor for twenty-six years.

For more information: chrlp.law@mcgill.ca



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Be prepared...

Refresher Presentations

three sessions in the
Law Library Computer Classroom (DSCC)




Société québécoise
d'information juridique

SOQUIJ

Azimut presentation
Wednesday October 10th
12:30 – 2:00
Me Chaya Borelowski

Westlaw Canada presentation
Wednesday October 17th
12:30 – 2:00
Me Michel Tremblay, LLB

 **Westlaw**.CANADA



LexisNexis

QuickLaw presentation
Monday October 22th
13:30 – 2:30
Ron Jones

CHIEF
RETURNING
OFFICER

REFERENDUM NOTIFICATION

Hello Everyone!

The following referendum concerning non-opt-outable fees for Innocence McGill question has been submitted:

Innocence McGill, a student-led clinic at the law faculty which focuses on researching and investigating claims of wrongful conviction in Quebec, is proposing that the \$5.00 fee traditionally paid by students enrolled at the Faculty of law should resume. This funding will support our investigations into claims of wrongful conviction and will enable us to continue to play an important role in the proper administration of justice in Quebec. Some examples of how this funding may be used are crime-scene accident reconstruction, analysis of new evidence using technology that was previously unavailable, and hosting our annual conference (open to the entire McGill community) on issues of wrongful conviction in Canada. This non-opt-outable fee will continue for 3 years, at which time it will be brought back to the membership for renewal. Do you agree?

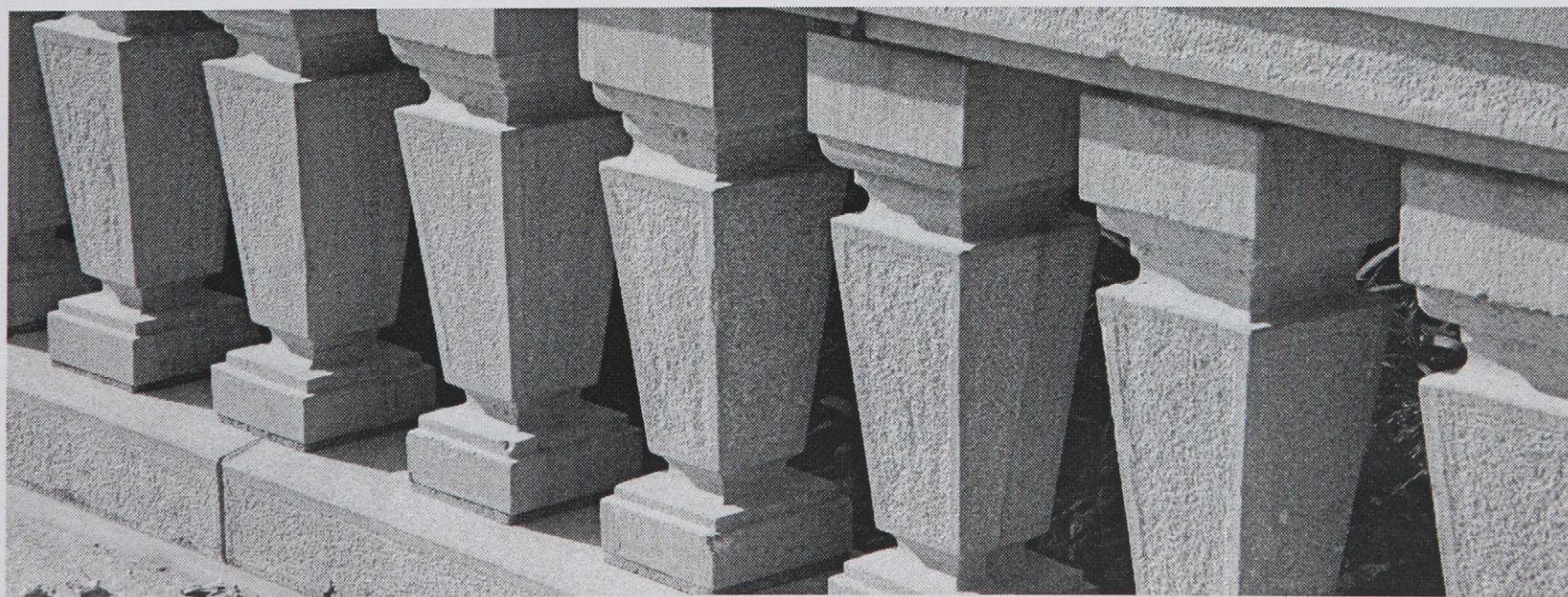
Innocence McGill, une clinique juridique vouée à la recherche et à l'investigation de condamnations erronées au Québec, propose que soit maintenue la cotisation de \$5.00 traditionnellement payée par tous les étudiant-e-s

de la faculté de droit de McGill. Ce financement, qui sert à soutenir nos investigations portant sur les condamnations erronées, nous permettra de continuer à jouer un rôle primordial à l'administration de la justice au Québec. L'argent amassée servira entre autres à financer des reconstitutions de scènes de crime, à analyser des preuves nouvelles en faisant appel aux plus récentes technologies du milieu et finalement à organiser notre conférence annuelle (ouverte à l'ensemble de la communauté McGilloise) sur la condamnation par erreur au Canada. Cette cotisation obligatoire serait en vigueur pour les trois prochaines années, après quoi il y aurait une autre consultation étudiante pour un renouvellement possible. Êtes-vous d'accord cette proposition?

La campagne électorale va commencer lundi, le 22 octobre. Vous pouvez voter dès jeudi, le 24 octobre à 9h et vous aurez jusqu'à lundi le 29 octobre à 16h pour voter.

Si quelqu'un souhaite organiser une campagne "non", vous devriez me contacter avant le 22 octobre.

Si vous avez des questions, n'hésitez pas à me contacter à cro.law@mail.mcgill.ca.



OVERHEARD AT THE FAC

Prof: If you give me your consent, we can make law together...[laughs]...oh...

Prof: [question]

L2: [partial answer]

L2: Mike wants to jump in right now.

Prof: But I don't want him to jump in right now.

Prof: This...Freedom to be free act, you know, something like that.

Prof: I find that when you open your mouth all the way, German comes more naturally.

Prof: Est-ce que ces décisions sont comparables.

L3: Non, pas vraiment.

Prof: Moi je trouve que oui.

Prof, on international drug treaties: Pulling out in theory is quite effective.

Prof, on 'finders' cases where kids find money in hidden places: There's always money in the Banana Stand!

Prof: People who use the term 'stakeholders' tend to be 1970s style hippies. And really, the debate is all about who should get

the loot.

Prof: When I got to the bank to borrow fifty thousand dollars to renovate my kitchen... how does it cost fifty thousand dollars to renovate my kitchen? I don't know but it does.

Prof, after discussion of provisions restricting loans made by corporations to their shareholders: What provision number is that?

Student: Uh...

Prof: I can assure you it's a low-digit number. Zero interest shareholder loans are a serious tax avoidance tool. We need a sledgehammer to fix this. And they put the sledgehammers early in the Income Tax Act.

Prof: The sections related to corporations loaning money to shareholders are like those creatures in the lord of the rings. You know the big ones that block the road. The government is telling you don't go down that road because we will eat you alive.

Prof, en parlant de 'Income Splitting, une pratique illégale: Désolé, mon homme, mais on n'ira pas devant un tribunal pour expliquer que tu fraudais la fisc!

Prof: I see some of you get a little bored during this class. But it is the meat and potatoes of life.

Prof, en parlant de négociations d'indemnité en cas de licenciement : D'un point de vue pratique, il est en train de vous poursuivre... Vous n'êtes pas des amis!

Prof: For the next class... I've forgotten what we're going to do. It's on Web CT.

2L: [asks a question]

Prof, to self, aloud: All questions are good questions...

Prof: I added a new section called "bed-time readings" to WebCT.

ANONYMOUS OVERHEARDS?

The Quid is experimenting with making all overheard's anonymous. Getting approval from various professors takes a significant amount of time; not including names allows the Quid team to include more overheard's, faster.

Professors, do you miss your weekly 15 minutes of fame in the Quid? Students, do you miss the names? Envoyez-nous votre feedback à quid.law@mcgill.ca!

SUBMIT OVERHEARDS!
quid.overheard@gmail.com

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¹This financial package is offered to full-time university students in accounting, accountancy, law or notarial law and to students at HEC Montréal who are Canadian citizens or permanent residents of Canada. Students must provide proof of their full-time student status.

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